

**Reprint
as at 3 June 2017**



Finance Act (No 2) 1935

Public Act 1935 No 41

Date of assent 26 October 1935

Commencement 26 October 1935

Finance Act (No 2) 1935: repealed, on 3 June 2017, by section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

Contents

| | | Page |
|---|---|------|
| | Title | 3 |
| 1 | Short Title | 3 |
| | Part 1 | |
| | Public revenues | |
| 2 | Additional payment to Government Fire Insurance Fund validated | 3 |
| 3 | Main Highways Revenue Fund and Main Highways Construction Fund abolished <i>[Repealed]</i> | 4 |
| 4 | Increasing travelling allowance of High Commissioner whilst travelling on public service outside United Kingdom <i>[Repealed]</i> | 4 |
| 5 | Amount of rates recoverable in respect of Rangitaiki Land Drainage District to be reduced for period <i>[Repealed]</i> | 4 |
| 6 | Section 18 of Unemployment Act 1930 (as to powers of Unemployment Board) amended <i>[Repealed]</i> | 4 |
| 7 | Section 20 of Unemployment Act 1930 extended <i>[Repealed]</i> | 4 |
| 8 | Amending provisions as to exemptions from emergency unemployment charge on salary and wages <i>[Repealed]</i> | 4 |

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint. Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Treasury.

| | | |
|----|--|---|
| 9 | Section 21 of Reserve Bank of New Zealand Act 1933 (as to keeping government accounts) amended <i>[Repealed]</i> | 4 |
| 10 | Stamp duty on receipts contained in interest warrants issued by Reserve Bank as Registrar of Stock <i>[Repealed]</i> | 4 |
| 11 | Section 154 of Stamp Duties Act 1923 (as to stamping of agreements by parties) amended <i>[Repealed]</i> | 5 |
| 12 | Film-renting contract to be liable for stamp duty as an agreement <i>[Repealed]</i> | 5 |
| 13 | Amending provisions as to stamp duty on surrenders of leases when new leases are granted <i>[Repealed]</i> | 5 |
| 14 | Bondholders Incorporation Commission may dispense with payment of fees | 5 |
| 15 | Provision for refunds if fees and levies exceed costs and expenses of Bondholders Incorporation Commission | 5 |
| 16 | Reduction of stakes duty payable by racing clubs <i>[Repealed]</i> | 5 |
| 17 | Minister of Finance may refund to racing clubs portion of totalisator duty <i>[Repealed]</i> | 6 |
| 18 | As to refund of totalisator duty to Bay of Islands Racing Club <i>[Repealed]</i> | 6 |

Part 2
Local authorities

| | | |
|----|---|---|
| 19 | Authorising government guarantee of special loans raised without poll <i>[Repealed]</i> | 6 |
| 20 | Removing limitation of time for conversion, with consent of holder, of securities issued by local authorities <i>[Repealed]</i> | 6 |
| 21 | Validating expenditure by local authorities in connection with Silver Jubilee of His Majesty the King and welcomes to Their Excellencies Viscount and Lady Galway | 6 |

Part 3
Miscellaneous

| | | |
|----|---|---|
| 22 | Extending provisions as to special pensions to miners' widows <i>[Repealed]</i> | 6 |
| 23 | Rights of contributors to National Provident Fund at passing of National Expenditure Adjustment Act 1932 not affected by section 24 of that Act <i>[Repealed]</i> | 7 |
| 24 | Altering dates for actuarial examinations of Public Service Superannuation Fund and Teachers' Superannuation Fund <i>[Repealed]</i> | 7 |
| 25 | Provision for actuarial examination of Government Railways Superannuation Fund <i>[Repealed]</i> | 7 |
| 26 | Post and Telegraph Department may establish sick benefit fund <i>[Repealed]</i> | 7 |

| | | |
|----|---|---|
| 27 | Payment from government funds to certain superannuated public servants not to affect rights of superannuation <i>[Repealed]</i> | 7 |
| 28 | Provisions as to superannuation of the Honourable Edward Page <i>[Repealed]</i> | 7 |
| 29 | Amending provisions as to rates of interest in respect of loans on government life insurance policies <i>[Repealed]</i> | 7 |
| 30 | Exemptions from section 50(4) of Friendly Societies Act 1909 extended for further period <i>[Repealed]</i> | 7 |
| 31 | Control of King George V Hospital and Pukeora Sanatorium to be transferred to Waikato Hospital Board and Waipawa Hospital Board respectively | 8 |
| 32 | Provisions of Electoral Act 1927 not to apply to H S S Kyle, Esq, by reason of payments to him as member of Stock-remedies Registration Board | 8 |
| 33 | Provisions of section 18 of Civil List Act 1920 not to apply to certain members of the General Assembly | 8 |
| 34 | Authorising trustees of Dunedin Savings-bank to make a donation of £300 to Dunedin Branch of New Zealand Crippled Children's Society | 8 |
| 35 | Payment by trustees of Dunedin Savings-bank of £100 to Dunedin Central Mission validated | 9 |
| 36 | Authorising trustees of Hokitika Savings-bank to make grant of £650 to Westland Hospital Board | 9 |
| 37 | Authorising certain statutory Boards to contribute to superannuation schemes for their staffs <i>[Repealed]</i> | 9 |

An Act to make provision with respect to public finance and other matters

1 Short Title

This Act may be cited as the Finance Act (No 2) 1935.

Part 1
Public revenues

2 Additional payment to Government Fire Insurance Fund validated

Notwithstanding anything to the contrary in section 133 of the Public Revenues Act 1926, the payments made for the purposes of that section to the Public Trustee during the financial year ended 31 March 1935 of sums amounting to 20,000 pounds are hereby validated and declared to have been lawfully made.

3 Main Highways Revenue Fund and Main Highways Construction Fund abolished

[Repealed]

Section 3: repealed (with effect on 1 April 1947), on 25 November 1947, by section 3(5) of the Finance Act (No 2) 1947 (1947 No 45).

4 Increasing travelling allowance of High Commissioner whilst travelling on public service outside United Kingdom

[Repealed]

Section 4: repealed, on 11 June 1943, by section 12(1) of the External Affairs Act 1943 (1943 No 5).

5 Amount of rates recoverable in respect of Rangitaiki Land Drainage District to be reduced for period

[Repealed]

Section 5: repealed, on 15 March 1938, by section 11(5) of the Finance Act (No 2) 1937 (1937 No 36).

6 Section 18 of Unemployment Act 1930 (as to powers of Unemployment Board) amended

[Repealed]

Section 6: repealed, on 1 June 1936, by section 48(1) of the Employment Promotion Act 1936 (1936 No 3).

7 Section 20 of Unemployment Act 1930 extended

[Repealed]

Section 7: repealed, on 1 June 1936, by section 48(1) of the Employment Promotion Act 1936 (1936 No 3).

8 Amending provisions as to exemptions from emergency unemployment charge on salary and wages

[Repealed]

Section 8: repealed, on 1 June 1936, by section 48(1) of the Employment Promotion Act 1936 (1936 No 3).

9 Section 21 of Reserve Bank of New Zealand Act 1933 (as to keeping government accounts) amended

[Repealed]

Section 9: repealed, on 4 December 1964, by section 54(1) of the Reserve Bank of New Zealand Act 1964 (1964 No 134).

10 Stamp duty on receipts contained in interest warrants issued by Reserve Bank as Registrar of Stock

[Repealed]

Section 10: repealed (with effect on 8 August 1952), on 16 October 1952, by section 2(2) of the Stamp Duties Amendment Act 1952 (1952 No 22).

11 Section 154 of Stamp Duties Act 1923 (as to stamping of agreements by parties) amended

[Repealed]

Section 11: repealed, on 1 January 1955, by section 175(1) of the Stamp Duties Act 1954 (1954 No 52).

12 Film-renting contract to be liable for stamp duty as an agreement

[Repealed]

Section 12: repealed, on 9 November 1961, by section 9(4)(a) of the Stamp Duties Amendment Act 1961 (1961 No 55).

13 Amending provisions as to stamp duty on surrenders of leases when new leases are granted

[Repealed]

Section 13: repealed, on 1 January 1955, by section 175(1) of the Stamp Duties Act 1954 (1954 No 52).

14 Bondholders Incorporation Commission may dispense with payment of fees

Notwithstanding anything to the contrary in section 23 of the Companies (Bondholders Incorporation) Act 1934–35, where the Bondholders Incorporation Commission constituted under that Act is satisfied that any person is unable or ought not to be called upon to pay any fee payable by that person in accordance with any regulations made for the purposes of that section, or any part of that fee, the Commission may by order dispense with the payment of the fee or of any part thereof subject to such conditions as it thinks fit.

15 Provision for refunds if fees and levies exceed costs and expenses of Bondholders Incorporation Commission

If, when the Bondholders Incorporation Commission has disposed of all matters and proceedings before it or likely to come before it, the Controller and Auditor-General certifies that in his opinion the total amount then received or thereafter to be received by way of fees and levies under the Companies (Bondholders Incorporation) Act 1934–35 exceeds the total costs and expenses of the Bondholders Incorporation Commission then incurred or thereafter to be incurred, the amount of the excess, if it is not less than 100 pounds, shall be refunded or remitted to the persons by whom amounts exceeding 30 pounds have been paid or are payable by way of hearing fees or levies under the said Act, in proportion to the total amounts so paid or payable by them respectively.

16 Reduction of stakes duty payable by racing clubs

[Repealed]

Section 16: repealed, on 1 January 1955, by section 175(1) of the Stamp Duties Act 1954 (1954 No 52).

17 Minister of Finance may refund to racing clubs portion of totalisator duty

[Repealed]

Section 17: repealed, on 6 December 1951, by section 20(2) of the Finance Act 1951 (1951 No 78).

18 As to refund of totalisator duty to Bay of Islands Racing Club

[Repealed]

Section 18: repealed, on 1 January 1955, by section 175(1) of the Stamp Duties Act 1954 (1954 No 52).

Part 2 Local authorities

19 Authorising government guarantee of special loans raised without poll

[Repealed]

Section 19: repealed, on 1 April 1957, by section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

20 Removing limitation of time for conversion, with consent of holder, of securities issued by local authorities

[Repealed]

Section 20: repealed, on 1 April 1957, by section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

21 Validating expenditure by local authorities in connection with Silver Jubilee of His Majesty the King and welcomes to Their Excellencies Viscount and Lady Galway

- (1) It shall be and be deemed to have been lawful for any local authority to expend out of its General Fund any sum or sums of money in connection with the celebration or commemoration of the Silver Jubilee of the accession to the Throne of His Majesty the King, or in connection with public functions of welcome to Their Excellencies the Right Honourable Viscount Galway and Lady Galway.
- (2) For the purposes of this section the term **local authority** means any City or Borough Council, County Council, Road Board, Town Board, Harbour Board, Education Board, Tramway Board, Transport Board, or Hospital Board,

Part 3 Miscellaneous

22 Extending provisions as to special pensions to miners' widows

[Repealed]

Section 22: repealed, on 14 September 1938, by section 76(1) of the Social Security Act 1938 (1938 No 7).

23 Rights of contributors to National Provident Fund at passing of National Expenditure Adjustment Act 1932 not affected by section 24 of that Act

[Repealed]

Section 23: repealed, on 12 October 1946, by section 23(2) of the National Provident Fund Amendment Act 1946 (1946 No 35).

24 Altering dates for actuarial examinations of Public Service Superannuation Fund and Teachers' Superannuation Fund

[Repealed]

Section 24: repealed, on 6 October 1939, by section 47(4) of the Finance Act (No 2) 1939 (1939 No 38).

25 Provision for actuarial examination of Government Railways Superannuation Fund

[Repealed]

Section 25: repealed, on 1 April 1948, by section 91(1) of the Superannuation Act 1947 (1947 No 57).

26 Post and Telegraph Department may establish sick benefit fund

[Repealed]

Section 26: repealed, on 1 January 1954, by section 5(2) of the Post and Telegraph Amendment Act 1953 (1953 No 48).

27 Payment from government funds to certain superannuated public servants not to affect rights of superannuation

[Repealed]

Section 27: repealed, on 1 April 1948, by section 91(1) of the Superannuation Act 1947 (1947 No 57).

28 Provisions as to superannuation of the Honourable Edward Page

[Repealed]

Section 28: repealed, on 1 April 1948, by section 91(1) of the Superannuation Act 1947 (1947 No 57).

29 Amending provisions as to rates of interest in respect of loans on government life insurance policies

[Repealed]

Section 29: repealed, on 13 October 1936, by section 23(4) of the Finance Act (No 2) 1936 (1936 No 36).

30 Exemptions from section 50(4) of Friendly Societies Act 1909 extended for further period

[Repealed]

Section 30: repealed, on 14 September 1938, by section 40(2) of the Finance Act 1938 (1938 No 13).

31 Control of King George V Hospital and Pukeora Sanatorium to be transferred to Waikato Hospital Board and Waipawa Hospital Board respectively

(1) The control of the King George V Hospital, Rotorua, and the Pukeora Sanatorium, Waipukurau, may, with the consent of the Minister of Health, be transferred to the Waikato Hospital Board and the Waipawa Hospital Board respectively, to be conducted by those Boards for the same purposes respectively as before the transfer, and any land, buildings, equipment, and other property vested in or belonging to the Crown in connection with or used for the purposes of either of those institutions may be transferred to or vested in the Hospital Board concerned.

(2) Anything done before the passing of this Act in connection with such a transfer as is authorised by this section is hereby validated and declared to have been lawfully done.

32 Provisions of Electoral Act 1927 not to apply to H S S Kyle, Esq, by reason of payments to him as member of Stock-remedies Registration Board

The provisions of the Electoral Act 1927, or any other Act, as to disqualification of members of Parliament, shall not apply to any payment which, under the authority of any appropriation now or hereafter made by Parliament, has been or may hereafter be received by Herbert Seton Stewart Kyle, Esquire, member of Parliament, by way of remuneration, or reimbursement of travelling expenses reasonably incurred by him, in respect of his services as a member of the Stock-remedies Registration Board established under the Stock-remedies Act 1934.

33 Provisions of section 18 of Civil List Act 1920 not to apply to certain members of the General Assembly

The provisions of section 18 of the Civil List Act 1920 shall not apply to the absence, owing to their attendance at the Empire Parliamentary Association Conference in London, of Peter Fraser, Esquire, Harold Galt Dickie, Esquire, William Alexander Bodkin, Esquire, and the Honourable Mark Fagan, members of the General Assembly, during the present session.

34 Authorising trustees of Dunedin Savings-bank to make a donation of £300 to Dunedin Branch of New Zealand Crippled Children's Society

Notwithstanding anything contained in the Savings-banks Act 1908, the trustees of the Dunedin Savings-bank may, during the present financial year, pay out of the profits of the bank to the Dunedin Branch of the New Zealand Crippled Children's Society a sum or sums not exceeding in all the sum of 300 pounds, to be applied by the society for the objects thereof as set out in its rules, and any such payments heretofore so made shall be deemed to have been lawfully made.

35 Payment by trustees of Dunedin Savings-bank of £100 to Dunedin Central Mission validated

The payment made during the financial year ended 31 March 1935 by the trustees of the Dunedin Savings-bank of a sum of 100 pounds out of the profits of the bank to the Central Mission of Dunedin towards the cost of the Health Camp for Needy Children is hereby validated and declared to have been lawfully made.

36 Authorising trustees of Hokitika Savings-bank to make grant of £650 to Westland Hospital Board

Notwithstanding anything contained in the Savings-banks Act 1908, the trustees of the Hokitika Savings-bank may pay to the Westland Hospital Board, out of the profits of the bank, a sum or sums not exceeding in all 650 pounds, to be applied by the Board in purchasing and installing an X-ray plant for the Westland Public Hospital, and any such sum heretofore paid shall be deemed to have been lawfully paid.

37 Authorising certain statutory Boards to contribute to superannuation schemes for their staffs

[Repealed]

Section 37: repealed, on 19 October 1978, by section 3(2)(a) of the Meat Export Control Amendment Act 1978 (1978 No 110).

Reprints notes

1 *General*

This is a reprint of the Finance Act (No 2) 1935 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Statutes Repeal Act 2017 (2017 No 23): section 3(1)

Meat Export Control Amendment Act 1978 (1978 No 110): section 3(2)(a)

Reserve Bank of New Zealand Act 1964 (1964 No 134): section 54(1)

Stamp Duties Amendment Act 1961 (1961 No 55): section 9(4)(a)

Local Authorities Loans Act 1956 (1956 No 63): section 135(1)

Stamp Duties Act 1954 (1954 No 52): section 175(1)

Post and Telegraph Amendment Act 1953 (1953 No 48): section 5(2)

Stamp Duties Amendment Act 1952 (1952 No 22): section 2(2)

Finance Act 1951 (1951 No 78): section 20(2)

Superannuation Act 1947 (1947 No 57): section 91(1)

Finance Act (No 2) 1947 (1947 No 45): section 3(5)

National Provident Fund Amendment Act 1946 (1946 No 35): section 23(2)

External Affairs Act 1943 (1943 No 5): section 12(1)

Finance Act (No 2) 1939 (1939 No 38): section 47(4)

Finance Act 1938 (1938 No 13): section 40(2)

Social Security Act 1938 (1938 No 7): section 76(1)

Finance Act (No 2) 1937 (1937 No 36): section 11(5)

Finance Act (No 2) 1936 (1936 No 36): section 23(4)

Employment Promotion Act 1936 (1936 No 3): section 48(1)

